

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 21, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

PAMELA K.,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,¹

Defendant.

No. 1:20-CV-3214-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 16. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Shata Ling Stucky represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 4. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 16**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

¹Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew M. Saul as the defendant in this suit. No further action need be taken to continue this suit. *See* 42 U.S.C. § 405(g).

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1 On remand, the Appeals Council will instruct the Administrative Law Judge
2 to do the following: (1) reevaluate the medical opinions and prior administrative
3 medical findings; (2) reevaluate Plaintiff's maximum residual functional capacity;
4 (3) obtain supplemental vocational expert evidence to clarify the effect of the
5 assessed limitations on Plaintiff's ability to perform other work in the national
6 economy; (4) offer Plaintiff the opportunity for a new hearing; (5) take any further
7 action needed to complete the administrative record; and (6) issue a new decision.

8 2. **Judgment shall be entered for PLAINTIFF.**

9 3. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is
10 **STRICKEN AS MOOT.**

11 4. An application for attorney fees and costs may be filed by separate
12 motion.

13 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
14 Order, forward copies to counsel, and **CLOSE THE FILE.**

15 DATED July 21, 2021.

A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE